

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**RECO D. MANNING,**

**Plaintiff,**

**v.**

**CORE CIVIC, et al.,**

**Defendants.**

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**Case No. CIV-23-137-R**

**ORDER REQUIRING A SPECIAL REPORT**

Plaintiff, a federal prisoner appearing *pro se*, filed this action pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), alleging violations of his constitutional rights. Upon application by the Defendants (Doc. 19) and review of the Plaintiff's Amended Complaint (Doc. 3), the undersigned finds that an investigation and Special Report are necessary to develop a record sufficient to ascertain whether there are any factual or legal bases for Plaintiff's claims. *See Hall v. Bellmon*, 935 F.2d 1106, 1112 (10th Cir. 1991). In compliance with *Martinez v. Aaron*, 570 F.2d 317, 319 (10th Cir. 1978) (*per curiam*), the court orders:

- (1) Officials at the **Cimmaron Correctional Facility**<sup>1</sup> shall review the Amended Complaint's subject matter to:
  - (a) ascertain the facts and circumstances underlying Plaintiff's claims, including any administrative relief attempts;
  - (b) consider whether the institutions or other appropriate officials should take any action to resolve Plaintiff's claims; and
  - (c) determine whether prior related complaints, either pending in this court or elsewhere, should be considered together with this Amended Complaint.

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<sup>1</sup> The Court Clerk is instructed to mail this Order and the Amended Complaint (Doc. 3) to the named institution.

- (2) Following the review's completion, officials shall compile a written Special Report setting forth the findings. The Special Report shall restate in separate paragraphs the Amended Complaint's allegations and any pertinent information discovered during the review. Whenever appropriate, officials shall include medical and/or psychiatric records. Likewise, officials shall include any rules and regulations pertinent to the Amended Complaint's subject matter.<sup>2</sup>
- (3) **The Special Report is due on or before August 14, 2023.**
- (4) Defendants shall file answers and/or dispositive motions to the Amended Complaint and shall not waive filing an appropriate response under 42 U.S.C. § 1997e(g). Defendants shall not file an answer and/or dispositive motion until **ten days** following the filing of the Special Report. **Defendants' answers and/or dispositive motions to the Amended Complaint shall be due on or before September 14, 2023.** See Fed. R. Civ. P. 6(b)(1).
- (5) No discovery shall be served on any party, and the court will not consider any applications, motions, or discovery requests relating to the Amended Complaint's merits until officials file the Special Report, except as the court may otherwise order.

ENTERED this 14th day of June, 2023.

  
AMANDA MAXFIELD GREEN  
UNITED STATES MAGISTRATE JUDGE

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<sup>2</sup> The rules and regulations should be those in effect during the time period specified in the Amended Complaint.